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EPA Region III
Office of Public Affairs
Mid-Atlantic Headlines
Friday, June 7, 2013
*** DAILY HOT LIST ***

Report: Marcellus Shale drillers record 1,500 violations since start of 2008

SCRANTON TIMES-TRIBUNE Marcellus Shale natural gas drillers have been cited nearly 1,500 times in the last two-and-a-half years for violating the state's oil and gas laws, according to a report released Monday by the Pennsylvania Land Trust Association. Two-thirds of the 1,435 violations were identified by the report's authors as likely to harm or pose a threat to the environment, while the other third were identified as administrative or safety violations. The violations were issued by the state Department of Environmental Protection, the agency that regulates gas drilling in Pennsylvania, which released the records to the association in response to a Right to Know Law request. Elana Richman, projects coordinator for the Pennsylvania Land Trust Association, said the organization sought the records to measure the gas extraction industry's environmental record as Marcellus Shale drilling expands in the state. "We had the feeling that there was a lot out there that we weren't seeing," she said. The association found that of the 952 violations with environmental implications, 277 were for improper erosion and sedimentation plans or controls, 268 were for faulty wastewater pits, 100 were violations of the state's Clean Streams Law, and 154 were spills of brine, oil, drill cuttings or other waste to the ground or streams. DEP released the details of one such spill Monday, when it announced that it had fined Talisman Energy USA \$15,506 for a spill of gas drilling wastewater at a Bradford County well site in November. The spill of between 4,200 to 6,300 gallons polluted a small, unnamed tributary to Webier Creek, DEP said. The company has since completed the state's cleanup requirements. Violations associated with recent high-profile environmental accidents, like well blowouts and gas contamination of water supplies, occurred in smaller numbers during the report's study period, between January 1, 2008, and June 25, 2010. There were 10 violations for improper construction of the cement and steel casings used to isolate drinking water aquifers from Marcellus Shale wells, a problem that DEP found was to blame for gas contamination of 14 drinking water supplies in Dimock Twp. DEP issued 16 violations for improper blowout-prevention measures, lapses like those that led to the blowout of an EOG Resources well in Clearfield County on June 3, when wastewater and gas erupted uncontrollably for 17 hours. The report also lists the 25 Marcellus Shale drillers with the most violations, beginning with East Resources Inc., a Warrendale, Pa.-based company that was recently bought by Royal Dutch Shell, which recorded 138 violations. Chesapeake Appalachia, Chief Oil and Gas, Cabot Oil and Gas, and Talisman Energy USA were also in the top five.

Editorial: Restoring bay Omega-style

NORFOLK VIRGINIAN PILOT The General Assembly of Virginia long ago tasked itself with overseeing the state's menhaden fishery. This week provided another \$7.5 million worth of evidence why the state deserves better. On Tuesday, Omega Protein Inc., the Texas outfit that controls Virginia's menhaden business, agreed to pay a \$5.5 million federal fine for illegally dumping bilge water and fishy wastewater into the Chesapeake Bay. The company, which grinds the fish into dietary supplements, fertilizer and food for livestock and pets, had drawn criticism in recent years for so overfishing the species that the food chain in the Chesapeake Bay and other coastal waters was disrupted. But the fine, reported Wednesday by The Pilot's Scott Harper, shows why regulation of the fishery should be in the hands of experts, not politicians. Large fishing boats are supposed to filter oil from bilge water and then record its release so regulators can check. "What investigators discovered, case records show, were hoses and other makeshift methods for dumping oily bilge water into the Chesapeake and the Atlantic Ocean, often under the water line and out of sight." The company was also supposed to dump bail water from its plant and ships - wastewater filled with scales, fins and fish excrement - at least three miles off shore to avoid fouling the bay with additional nutrients, Harper wrote. "Investigators determined, however, that from May 2008 to December 2010, the wastes routinely were not taken offshore but instead were discharged into the Chesapeake Bay and other state waters, the plea agreement says."... Thanks to a uniquely compliant regulatory scheme - Virginia's menhaden fishery is controlled by the statehouse rather than by regulators, as all other saltwater fish are - Omega has enjoyed freedoms available in few other states. Including being regulated by a political body it helps elect. Omega's political contributions have totaled more than \$250,000 since 2001. It is unlikely that any member of the legislature is going to spend time on the water, checking Omega's compliance with rules and regulations. It's not the lawmakers' job. But it is absolutely clear that those same legislators - with their willfully blind eyes and upturned palms - have created the regulatory environment in which this kind of thing can, and did, happen.

McKinley: New coal-ash bill tackles EPA concerns

ASSOCIATED PRESS MORGANTOWN, W.Va. -- For two years, one of the two professional engineers in Congress has pushed a bill to let states regulate fly ash from coal-fired power plants, a move U.S. Rep. David McKinley says would benefit coal and power companies and the construction industry he's worked in since the 1960s. Each time, the West Virginia Republican's bill clears the House, only to die in the Senate. But McKinley says this year is different: The latest version of the Coal Residuals Reuse and Management Act (H.R. 2218) was crafted with input from the U.S. Environmental Protection Agency, which McKinley said is "not opposing" the draft that cleared a House subcommittee Thursday. "We've listened and reacted," he said, "and we've listened again." EPA officials told The Associated Press they can't comment on pending legislation. But at a House subcommittee hearing in April, an official in the Office of Solid Waste and Emergency Response said the agency supports "the development, implementation and enforcement of appropriate standards for facilities managing coal ash, while encouraging the beneficial use of this economically important material." Coal ash is used in materials ranging from concrete and drywall to countertops and bowling balls. The U.S. produces about 140 million tons of fly ash a year, and EPA calls "coal combustion residuals" one of the nation's largest waste streams. It says about 34 percent

is landfilled every year, while another 21 percent is dumped in impoundments. About 37 percent is "beneficially used," and about 8 percent is used in coal mine reclamation projects. Though coal ash contains arsenic, selenium, lead, cadmium, and mercury, it's not considered hazardous waste. Environmental activists worry about water contamination nonetheless. And they see little improvement in the latest bill. "Its primary effect remains keeping the EPA from regulating this massive toxic waste stream," said the West Virginia Sierra Club's Jim Sconyers, who questions the ability of states to properly monitor the waste and protect citizens and the environment.

EPA orders Century Aluminum to clean areas

PARKERSBURG NEWS AND SENTINEL RAVENSWOOD- The federal Environmental Protection Agency has ordered Century Aluminum to cleanup sections of its Ravenswood facility used for the storage and disposal of hazardous materials that were byproducts of aluminum production. According to the EPA, cleanup is needed at the facility on Century Road near Ravenswood where soil and groundwater are contaminated with cyanide, fluoride, lead, arsenic and Polycyclic Aromatic Hydrocarbons (PAHs), said EPA spokeswoman Donna Heron in a press release. "Cleanup work includes restoration of contaminated groundwater to drinking water standards and to control human and environmental exposure to hazardous wastes in the soil that remain in place at the plant," Heron wrote. Under the EPA's order, the company must develop a plan, known as a materials management plan, that identifies specific locations at the plant where contaminants remain, and put in place procedures and safeguards for any future construction or excavation in those areas. The plan must be approved by EPA and the West Virginia Department of Environmental Protection. The plan must include a health and safety section for the safety of workers and contractors doing excavation or construction work in these known contaminated areas. The order restricts using groundwater beneath the property for drinking water. Using the property for any purpose other than industrial is prohibited unless it is demonstrated there is no threat to human health or the environment. Aluminum production began at the site in 1957 when Kaiser Aluminum and Chemical Corp. began operations. The facility included a plant that produced aluminum from alumina ore, and a plant that produced plate and coil aluminum alloy. The former Kaiser plant was sold in 1989 to Ravenswood Aluminum Corp., which later changed its name to Century Aluminum of West Virginia. In February 2009, Century Aluminum shut down the aluminum production operation because of the low demand for aluminum. In a phone interview Thursday, Heron said the problem stems from the time Kaiser was operating the plant. The EPA is waiting on a plan from Century to address its concerns, she said. Once that plan is in place and approved by the EPA and the state's environmental protection agency, timelines will be made on when work will be done, she said.

Pennsylvania’s Power Generation Continues a Shift from Coal to Natural Gas

STATE IMPACT PENNSYLVANIA Natural gas is outpacing coal and wind when it comes to new sources of electricity for a 14-state region that includes Pennsylvania. PJM Interconnection coordinates the wholesale electricity market and manages transmission for an area that stretches from Illinois to New Jersey, and Pennsylvania to North Carolina, including the District of Columbia. PJM conducts a yearly “capacity auction” that insures enough electricity will be available three years into the future. This year’s auction, which concluded in May, established contracts with power suppliers for June 2016 through May 2017. “It’s a continuation of what we observed last year in 2012,” said PJM spokesman Ray Dotter. “What we’re seeing is gas playing a growing role and coal playing a smaller role [in the region's electricity generation.] It’s a big change and a pretty rapid change.” Dotter says two years ago, wind energy would have made up more new sources of energy. He says PJM attributes the shift to the increased production of shale gas, which is less expensive, and is in such close proximity to the end users. He says almost 10,000 megawatts of coal-generated electricity did not “clear” the auction, meaning that it was not cost competitive with other sources offered. It’s important to note that coal still continues to provide the bulk of electricity for both Pennsylvania and the PJM region. As coal fired plants retire, Dotter says the region remains in good shape regarding capacity. “So there wasn’t a hiccup to replace the [retired coal generated electricity] with wind and gas,” he says.

Coal Ash, Superfund Bills Clear House Panel With Republican Support

BNA DAILY ENVIRONMENT REPORT Four bills to expand state authority over regulatory programs for coal ash disposal and superfund cleanups clear the House Energy and Commerce Subcommittee on Environment and the Economy with strong Republican support and continued Democratic opposition. Republicans tout the legislation as necessary to resolve regulatory uncertainty among states, while Democrats say the bills were hastily prepared and fail to fully address environmental and public health concerns, despite revisions.

PENNSYLVANIA

PHILADELPHIA INQUIRER

Commentary: Don't delay pipeline over one accident Several of the country's most powerful environmental groups have latched onto the recent 10,000-barrel Arkansas oil spill to fight against a federal permit for Keystone XL, a proposed transnational pipeline project. New subway ads in Washington from SumOfUs.org claim that this spill is just a "preview" of what will come by connecting Canadian oil deposits with refineries on the Texas Gulf Coast. This now-standard tactic among green groups - opposing new energy projects by highlighting dissimilar accidents - is obstructionist thinking. Nobody likes oil spills, but the energy industry has proven it can contain pipeline ruptures quickly and safely. The Mayflower Incident Unified Command Joint Information Center - jointly headed by local officials and representatives of the Environmental Protection Agency and ExxonMobil - reports swift and diligent remediation efforts following the Arkansas spill. The oil has already been almost completely cleaned up, families are being compensated by pipeline owner ExxonMobil, and the local environment has been restored. The spilled oil did not reach nearby drinking-water supplies. Air-quality monitors are detecting no problems. And, thankfully, there were no deaths or injuries.

NBC-10 PHILADELPHIA

Company Blamed for Pollution After Sandy Files Lawsuit The EPA said in a press release last week that NL Industries was identified as potentially liable for the cleanup costs and that the EPA would require those responsible for the contamination to bear the costs. A company blamed for lead pollution at a site along the Raritan Bay says it is being unfairly targeted and others, including the town of Old Bridge and the state of New Jersey, are mainly responsible for the mess and should share the cost of the cleanup. NL Industries made the claims in a lawsuit Wednesday filed in federal court. The lawsuit names the state, Old Bridge Township and the U.S. Army Corps of Engineers, along with numerous companies that brought used batteries, scrap metals and other waste to NL's Perth Amboy lead smelting plant. Parts of the beach have been closed for several years due to contamination. Last week, the federal Environmental Protection Agency and Rep. Frank Pallone announced finalized plans for a \$79 million cleanup of the site, known as the Raritan Bay Slag Superfund site. The suit alleges the state and Old Bridge knowingly allowed a seawall to be built with soil potentially contaminated by lead from the Perth Amboy plant that had been trucked by a third party to a site on Route 35 in Old Bridge. NL Industries called the town's conduct "especially egregious" and claimed Old Bridge knew "that lead-bearing slag had been used to construct the Seawall, and that lead-bearing material was now sitting unprotected in a marine environment."

PITTSBURGH POST-GAZETTE

Shale mappers detonate explosives, raising concerns DEP says charges installed without authorization. State and federal agencies have allowed a company mapping the Marcellus Shale gas formation to detonate 10 of 131 underground charges it installed without authorization on a mine-reclamation site in Fayette County. And the state Department of Environmental Protection and the federal Mine Safety and Health Administration could soon allow detonation of many of the rest. In April, the DEP and MSHA ordered CGGVeritas Land Inc. to remove all the explosives because some were outside the company's state-approved seismic testing area and others raised concerns about the stability of a coal ash dump and slurry impoundment on the site. But DEP said Thursday that 10 "shot hole" charges, each containing 3.3 pounds of explosives buried 20 feet to 30 feet deep, were detonated Tuesday and Wednesday. All were outside the area approved for seismic exploration in CGGVeritas' DEP blasting permit. CGGVeritas uses the explosives to produce seismic shock waves that are measured to create a map of gas-bearing shale. Natural gas drilling companies use those maps to determine where to locate their wells. Also Thursday, MSHA said that, based on its "technical reviews," the Texas-based seismic testing firm can detonate all of the "shot holes" drilled on the 500-acre Matt Canestrале Contracting Inc. coal ash disposal property, except for 20 on or near the slurry impoundment. MSHA spokeswoman Amy Louviere said the agency is collecting additional information at the site and might eventually allow detonation of those.

Letter: Wrong on climateIn his June 4 letter to the editor "Scientists Agree on Climate Change Causes," Chris Mullin makes some rather broad and seemingly profound statements regarding climate change, apparently arrived at by his reading of a book by James Hoggan. To provide perspective, it should be acknowledged that Mr. Hoggan has absolutely no scientific credentials and was "trained" by Al Gore (per Mr. Hoggan's web biography) to further pollute the climate-change debate. To purport that peer-reviewed scientific authors support, by the preposterous "score" of 928-0, the thesis that climate change is (solely) man-made reflects a serious misreading or lack of understanding of the technical literature, a tendentious summary by the author, sheer hubris by the writer or some combination of these factors.

PITTSBURGH TRIBUNE REVIEW

Borough to seek treatment plant funds Brackenridge will apply for a \$500,000 grant to help improve the quality of water produced at its treatment plant. On Tuesday, council authorized borough engineer Jim Garvin to apply for the grant from a new program offered by the Redevelopment Authority of Allegheny County. Garvin said the grant would come from the county's Gaming Economic Development Fund. He suggested the water treatment plant as one area where the grant could help the borough by financing an aeration system. The system would help eliminate trihalomethanes, a chemical compound that has plagued the water system off and on over the years. “We have to do something with our water,” Garvin said. Trihalomethanes, as defined by the federal Environmental Protection Agency (EPA), occur when naturally occurring organic and inorganic materials in the water react with the disinfectants, chlorine and chloramine. According to the EPA, some people who drink water containing total trihalomethanes in excess of acceptable levels for many years could experience liver, kidney, or central nervous system problems and increased risk of cancer. Over the years, the borough and the Fawn-Frazer Water Authority to which it sells water have received notices from the county Health Department when trihalomethanes have exceeded acceptable limits. However, the water has never been deemed unsafe to drink. The last time such a notice was issued was in May 2012. Garvin said trihalomethanes typically are high during warm weather. He said there are several factors in how they form, including how much chlorine is used in the treatment process, where it is placed in the system and if the water sits and stagnates within the system.

Wilmerding stays ahead on DEP sewer mandateA sewer repair project awarded at Wilmerding council's Tuesday night meeting is helping the borough stay ahead of schedule with the state Department of Environmental Protection's consent decree. Council unanimously approved State Pipe Services Inc.'s \$45,300 bid for borough-wide repair work. Borough secretary Joe Hartzell said bids were opened on May 17, and the only other bid was for \$74,600 from Tri-State Grouting. State Pipe has performed work in the borough previously and was recommended by Glenn Engineering. Borough engineer Dave Gilliland said work includes improving sewer liners, excavating and repairing pipe, and installing a catch basin near the intersection of Marguerite Avenue and Clara Street. New manholes will be in place along Miller Street, and near the intersections of Patton and State streets and Watkins Avenue and State Street. Work is expected to begin in early July and be completed within 60 days. Gilliland said the next work to be performed as part of the consent decree is the continuation of sewer line inspections and repairs. Other major projects are not required for at least 10 years. The borough is looking into seeking bids for demolition work for one or two properties later this summer. Demolition costs will be paid though Allegheny County Community Development Block Grant funds. Residents encouraged council to enforce property maintenance ordinances, specifically those dealing with high weeds and grass, and garbage.

Monessen riverfront lawsuits still remain Although the City of Monessen has already settled one lawsuit over a zoning ordinance adopted last year, two related civil actions are still pending. And the two mayoral candidates in last month's primary are disputing the legal costs involved. In August, Monessen council passed an ordinance changing riverfront land development from permitted use to conditional use – which means any construction or additions would require council's approval. Last month, Westmoreland County Judge Richard McCormick issued a consent order ending Monessen coke plant owner ArcelorMittal's challenge to the ordinance. According to city Solicitor Mark Shire, there are three pending matters involving the Mon Valley Sewage Authority's plan to construct a satellite treatment plant – the Seneca Street Facility – on riverfront property in the Monessen's Eastgate section. They are appeals filed in Westmoreland County challenging the procedural and substantive aspects of the ordinance and challenging the city's refusal to designate the plant as “essential use,” Shire said. The authority system treats sewage for approximately 2,000 customers in Donora and 3,500 customers in Monessen. City officials will meet in two weeks with sewage authority members to determine if an agreement can be reached before the issue goes before McCormick, who granted the parties an extension last Friday.

Port Authority no closer to filling top spot Port Authority of Allegheny County's board of directors interviewed three candidates for the transit agency's top job, but it isn't close to filling a post ...

STATE IMPACT PENNSYLVANIA

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Confidentiality Agreements Prevent Fracking Contamination Claims From Being Made Public Bloomberg reports on how confidentiality agreements with landowners across the country have helped protect drilling companies from bad publicity and allegations of pollution. The article specifically mentions the Hallowich v. Range Resources case in Washington County. The Hallowich family sued gas drillers after they said drilling activity near their home outside Pittsburgh made their children sick. The case was eventually settled for \$750,000, but the family signed a strict gag order.

ERIE TIMES-NEWS

County study finds no downside to planned Edinboro dam improvements EDINBORO -- Planned improvements to the century-old dam at Edinboro Lake won't hurt the environment and will better protect people who live nearby, according to the Erie County Department of Planning. Edinboro Borough plans to install modern sluice gates to better control lake water levels. County planners reviewed the plan to determine if construction would have any negative effects on people or properties near

the dam, or on the Conneauttee Creek flood plain or wetlands.

SCRANTON TIMES TRIBUNE

Report: Marcellus Shale drillers record 1500 violations since start of 2008 Marcellus Shale natural gas drillers have been cited nearly 1,500 times in the last two-and-a-half years for violating the state's oil and gas laws, according to a report released Monday by the Pennsylvania Land Trust Association. Two-thirds of the 1,435 violations were identified by the report's authors as likely to harm or pose a threat to the environment, while the other third were identified as administrative or safety violations. The violations were issued by the state Department of Environmental Protection, the agency that regulates gas drilling in Pennsylvania, which released the records to the association in response to a Right to Know Law request. Elana Richman, projects coordinator for the Pennsylvania Land Trust Association, said the organization sought the records to measure the gas extraction industry's environmental record as Marcellus Shale drilling expands in the state. "We had the feeling that there was a lot out there that we weren't seeing," she said. The association found that of the 952 violations with environmental implications, 277 were for improper erosion and sedimentation plans or controls, 268 were for faulty wastewater pits, 100 were violations of the state's Clean Streams Law, and 154 were spills of brine, oil, drill cuttings or other waste to the ground or streams. DEP released the details of one such spill Monday, when it announced that it had fined Talisman Energy USA \$15,506 for a spill of gas drilling wastewater at a Bradford County well site in November. The spill of between 4,200 to 6,300 gallons polluted a small, unnamed tributary to Webier Creek, DEP said. The company has since completed the state's cleanup requirements. Violations associated with recent high-profile environmental accidents, like well blowouts and gas contamination of water supplies, occurred in smaller numbers during the report's study period, between January 1, 2008, and June 25, 2010. There were 10 violations for improper construction of the cement and steel casings used to isolate drinking water aquifers from Marcellus Shale wells, a problem that DEP found was to blame for gas contamination of 14 drinking water supplies in Dimock Twp. DEP issued 16 violations for improper blowout-prevention measures, lapses like those that led to the blowout of an EOG Resources well in Clearfield County on June 3, when wastewater and gas erupted uncontrollably for 17 hours. The report also lists the 25 Marcellus Shale drillers with the most violations, beginning with East Resources Inc., a Warrendale, Pa.-based company that was recently bought by Royal Dutch Shell, which recorded 138 violations. Chesapeake Appalachia, Chief Oil and Gas, Cabot Oil and Gas, and Talisman Energy USA were also in the top five.

SUNBURY DAILY ITEM

\$1.3 million to Shamokin to fix flood-damaged creek wall SHAMOKIN – The city of Shamokin will get \$1.34 million in funding to repair damage to the stone wall along Shamokin Creek sustained during Tropical Storm Lee in 2011, Sen. Bob Casey, D-Pa., announced today. The funding is from the U.S. Department of Homeland Security's Federal Emergency Management Agency. It is specifically is for permanent repairs to 1.23 miles of stone wall along Shamokin Creek that were damaged in the flood. "The recovery process from Lee has been challenging, but this funding is a positive development in Pennsylvania's effort to rebuild from the damage," said Casey. "I will continue to push the federal government to provide as much help as possible to the communities affected by storms so Pennsylvanians whose lives have been disrupted can get back on their feet."

WILKES BARRE TIMES LEADER

EPA to investigate efforts to reduce methane leaks WASHINGTON — The Environmental Protection Agency’s Inspector General plans to investigate what actions are being taken to reduce methane leaks from natural gas pipelines.The IG says in a memo dated Monday that it will review data and interview EPA staff, [environmental groups](#), industry associations and scientists. There's no estimate of when the investigation will be complete. In April the EPA lowered its estimates of natural gas leaks but some scientists questioned the figures. The issue is important because natural gas emits far less pollution than coal when burned. \, but those benefits can be offset by leaks of methane, which is a potent greenhouse gas. A previous IG report found that unreliable estimates on [air pollution](#) from natural gas production hinder EPA efforts to police the recent boom in drilling.

20 people sue claiming Noxen gas facility is ruining quality of life WILKES-BARRE — To the passerby, the Chapin Dehydration Station appears to be a silent component of the natural gas industry. But neighbors in the rural Noxen area say it's a constant nuisance and, at times, a possible threat. With 10 claimants from Luzerne County and 10 from Wyoming County, the Scranton-based law firm of O'Malley & Langan filed a civil suit Thursday in Luzerne County Court seeking damages of more than \$75,000 per-claimant against the station's operators, PVR Partners of Radnor, Pa. Claiming the station disrupts the rural life and is devaluing property values for nearby residents, the 20 people have banded together to sue the company. The day after Thanksgiving last year, residents on roads surrounding the station woke around 3:30 a.m., but not for early-bird department store specials. Some still remember the sound as similar to jets on a runway.A malfunctioning component caused natural gas to burst from the station's vent stacks, funnelling up as high as the eye could see, neighbor Charles Malarkey said.... Since its start, there have been two reported emergencies at the site, and state Department of Environmental Protection spokeswoman Colleen Connolly confirmed a Chapin station shutdown last week is indicated in preliminary reports for causing water and gas to back up in the pipeline. The backup triggered an emergency gas release at the PVR's Hirkey Compressor Station in Washington Township, the report says.

WILKES BARRE CITIZEN'S VOICE

Families challenge owner of natural gas dehydration station WILKES-BARRE - When Paula Klass and her husband bought their house on Herdman Road in Monroe Township, Wyoming County in 1991, she relished rural life. That changed last year when her new neighbor moved in: a natural gas facility she considers a pollution-spewing eyesore that makes her house vibrate so the bathroom mirrors rattle. "You move to the country to have scenery and open fields and peace and quiet," Klass said. "I don't want to worry about us blowing up here, and I don't know what we're breathing in." Attorneys filed a complaint on Thursday against PVR Partners, L.P., owner of a natural gas dehydration station on state Route 309 in Monroe Township, on behalf of 20 families in Luzerne and Wyoming counties including the Klasses. The residents, from the area of Old Highway Road, Herdman Road, Viewmont Road and state Route 309, are seeking in excess of \$75,000 per household damages for nuisance, trespass and negligent infliction of emotional distress. They say they have lost the use and enjoyment of their properties, their property values have gone down, and they have suffered inconvenience, discomfort, mental and emotional distress and health issues. "PVR has not received a copy of the lawsuit, and we cannot make any comment," company spokesman Stephen R. Milbourne said. None of the residents feel natural gas drilling is wrong, one of their attorneys, Todd O'Malley, said at a press conference at the Luzerne County courthouse on Thursday.

WASHINGTON, D.C.

WASHINGTON POST

Blog: Workers turned EPA warehouse in Landover into personal rec rooms, audit finds In a huge Environmental Protection Agency warehouse in Landover, enterprising workers made sure that they had all the comforts of home. They created personal rec rooms with televisions, radios, chairs and couches. On the walls were photos, calendars and pinups. For entertainment, they had books, magazines and videos. If they got hungry, they could grab something from a refrigerator and pop it into a microwave. The crown jewel of their hideaway — which stored EPA office furnishings — was a 30-by-45-foot athletic center, cobbled together from “surplus” EPA gym equipment and decked out with a music system provided via “other agency inventory items,” according to a recently released inspector general's report. All of it was carefully hidden from security cameras by partitions and piles of boxes set up by the workers, employees of Apex Logistics, the contractor that ran the warehouse until the EPA severed ties after learning of the situation last month. Also scattered around the 70,000-square-foot warehouse were boxes of documents with personal information, including passports. Why expired passports were at an EPA facility is anyone’s guess. “Our initial research at the EPA's Landover warehouse raised significant concerns with the lack of agency oversight of personal property and warehouse space at the facility,” EPA Inspector General Arthur A. Elkins Jr. noted in his “early waming report.” It has not been a great week for trust in government. A separate inspector general's report Tuesday savaged the Internal Revenue Service for spending \$4.1 million on a 2010 conference. Two managers who attended that conference were placed on administrative leave Wednesday for accepting free food and other gifts, a violation of government ethics standards, officials said. The report said the IRS had hired three event planners for \$133,000

without signing contracts with any of them and had paid one speaker \$27,000, plus \$2,500 for a first-class plane ticket, to deliver two one-hour speeches on how seemingly random ideas can drive innovation.

Federal Diary column: IRS waste undermines federal employees The Star Trek parody video that IRS employees made for an agency conference opens with a riff on the line about the spaceship’s mission — “to go where no government employee has gone before.” They went too far. When the Internal Revenue Service managers shot the video, and another about line dancing, for a 2010 training conference in Anaheim, Calif., they may have just as well handed bats to fed bashers. Yet, it was a staunch supporter of federal employees who lit into the IRS at a House hearing Thursday. The session examined an inspector general’s report about the agency’s All Managers Conference for the small-business and self-employed division. The conference cost taxpayers at least \$4.1 million, including \$50,000 for the videos. Federal employees have a keen sense of mission and service. No doubt, those in the videos share that. But in today’s environment, after an Obama administration crackdown on conference spending following a similar 2010 General Services Administration scandal, spending that kind of money is a disservice to the public and the workforce. In more generous times, that might not have been the case. But these are not generous times. Members of Congress are outraged. “You cannot take the money of American workers and waste it,” said Rep. Elijah E. Cummings of Maryland, the top Democrat on the House Oversight and Government Reform Committee. A self-described “big defender of federal workers,” he is angry with tax collectors who spent taxpayer money on the “ridiculous Star Trek video.” “I swear to God, I have looked at that video over and over again, and I swear I do not see the redeeming value.”

WASHINGTON TIMES

EDITORIAL: Government in the shadows Richard Windsor was a model employee at the Environmental Protection Agency. He was so beloved by his colleagues that the agency awarded him the title “scholar of ethical behavior,” and bestowed several cybersecurity certifications on him. But Mr. Windsor is not a real person. From the sleuths at the Competitive Enterprise Institute, we learned that Richard Windsor is the email alias of Lisa P. Jackson, then the EPA administrator. Mrs. Jackson assumed the bogus identity to evade scrutiny from congressional oversight committees while coordinating her job duties with left-wing environmental activists. That doesn’t sound like “ethical behavior,” and it may have been illegal. The Competitive Enterprise Institute’s Christopher Horner discovered the sham while researching a book, “The Liberal War Against Transparency.” Mrs. Jackson may have learned the trick of creating a fraudulent identity from an earlier EPA administrator, Carol Browning, who used fake emails to conduct official government business in the Clinton administration. Both women were evading at least the spirit, and maybe the letter, of the Freedom of Information Act, which guarantees the public’s right to know what government is doing with its money.

DELAWARE

WILMINGTON NEWS JOURNAL

Loud message sent to PBF on refinery trains With sponsors citing mounting public concern over expanding rail shipments of crude to the Delaware City Refinery, the House passed a resolution Thursday urging Norfolk Southern Corp. to reduce rail crossing delays and noise caused by trains idling near homes. H.C.R. 27, co-sponsored by House Majority Leader Valerie Longhurst, D-Bear, and Sen. Nicole Poore, D-Barbs Farm, would have no force of law and now goes to the Senate. But nine other New Castle County Democrats signed on anyway to the joint House and Senate measure, which targets a rail operation that PBF Energy recently projected could rise to 185,000 barrels a day by the first quarter of 2014, or about three inbound and three outbound tanker trains daily from the upper Midwest and Canada. The resolution, approved on a voice vote, has enough clout “to show them that we all have an interest in making sure that they’re providing us with this information,” Longhurst said. “At this point they need to know how serious we are, that we keep asking these questions and we want them to bring forth the information and recognize that it is a nuisance in the community,” Longhurst said. Norfolk Southern officials declined to discuss the legislative action Thursday. “All I can really say is that we’re closely watching the resolution as it moves through the legislative process,” public relations manager David Pidgeon said.

Flood watch for Delaware as Andrea moves up coast Total overall rainfall of 2 to 3 inches is expected statewide, with pockets getting near 5 inches. The state's greatest risk of flash flooding is along the I-95 corridor, meteorologists said.

Tropical Storm Andrea to cause flooding in Delaware, meteorologists sayTotal overall rainfall of 1.5 to 3 inches is expected statewide, with pockets of the area getting 5 inches or so. The state's greatest risk of flash flooding is along the I-95 corridor, meteorologists said.

DELAWARE CAPE GAZETTE

Time extension allows building on nearly 18,000 lots Sussex County Council's recently passed ordinance to give developers more time to start their projects – allowing building on nearly 18,000 lots in more than 125 developments. “Can you imagine what the county would look like if this was all built?” asked Sussex County Councilwoman Joan Deaver, D-Rehoboth Beach. “Farmland would be the only open space left.” Deaver said she's confident some of the projects that have struggled to get off the ground will proceed because of the extension, the second blanket reprieve granted by county council. Many projects were shelved because of the economy; they date back to the time just after the housing bubble collapsed. Approved subdivisions, residential planned communities and conditional-use projects will automatically have until until Jan. 1, 2016, to get underway. The ordinance is retroactive to Jan. 1, 2013, when a previous extension expired. Permits for as many as 100 subdivisions, 49 conditional-use projects and 16 residential-planned- community projects were set to expire this year, said Lawrence Lank, director of county planning and zoning.

Wind-zone safety requirements relaxed Sussex County Council has enacted new building code standards aimed at improving safety and reducing costs. Without the updated building code, Sussex residents were facing higher home insurance rates based on criteria established by the national Insurance Services Office. Sussex County's regulations dated back to 2003; the new regulations will be in effect Oct. 1. Council voted 5-0 to adopt the updated 2012 editions of the International Building Code for commercial buildings and the International Residential Code for dwellings with a handful of exemptions. Andy Wright, chief of the county's building code department, said the most significant change is the reduction of the wind zone for coastal Sussex County. He said while the area is still considered a hurricane zone, the wind rating has been reduced from 110 to 100 miles per hour for windows installed along coastal areas.

WDDE-FM DELAWARE'S NPR STATION

Permit hearing for Delaware City refinery draws vocal opponents and supporters (June 4) Officials from Delaware City Refinery Tuesday defended the plant’s record on air emissions while seeking to renew a state operating permit and fending off attacks by environmental and other groups. Plant officials rejected claims that they were seeking state permission to increase emissions from previously agreed levels in order to process increasing quantities of heavy crude oil from the controversial Canadian tar sands. But environmental groups led by the Sierra Club argued that the refinery’s plans to increase its input of tar sands crude would lead to higher emissions of a range of pollutants that threaten the health of local

residents. The two groups held counter demonstrations outside the refinery and in the center of Delaware City before gathering in a local fire hall to deliver a long series of personal three-minute speeches on many aspects of the hotly debated issue. Environmental groups, who also include the NAACP and the Delaware Green Party, argue that the plant’s output will result in increased pollutants including sulfur dioxide, carbon monoxide, suspended particulates, ammonia, and lead. “No community should be subject to pollution levels that hinder their ability to lead full, healthy lives,” the critics said in a May 31 letter to Delaware’s environment secretary Collin O’Mara and Shawn Garvin, the U.S. EPA’s regional administrator. “Neighbors of the Delaware City Refinery have long been subjected to high levels of toxic pollutants, resulting in the area being identified as a census tract of high cancer risk.” The refinery now processes about 20,000 barrels a day of heavy crude and has plans to double that to a level that will represent about a quarter of total output, said Michael Karlovich, a spokesman for the refinery’s owner, PBF Energy. Karlovich said the increased emissions resulted from a previously approved fluid coking unit, not from the refinery as a whole, as stated by opponents. Meanwhile, some other facilities in the plant have reduced emissions, he said.

WEST VIRGINIA

CHARLESTON GAZETTE

South Charleston considers urban deer hunting For the Gazette SOUTH CHARLESTON, W. Va. -- Mayor Frank Mullens introduced an ordinance Thursday evening to establish urban deer hunting in South Charleston. During a city council meeting, city attorney Michael Moore said the ordinance would allow prop...

CHARLESTON DAILY MAIL

Editorial: West Virginians need reliable water service Officials with AARP say West Virginia American Water's proposed 20 percent rate increase will hurt 250,000 families in the state. The organization launched a drive to petition the Public Service Commission to rule against the hike. The company says the increase will add \$8.13 a month, on average, to the bills of customers. The AARP says the hike will average \$10.49 a month. Either way, the increase is not small. The PSC will hold public hearings around the state on the proposal. Undoubtedly, many people will raise their voices in anger against the increase. Nobody likes rate increases. But while the law may require public hearings, PSC members and their staff should do every bit as careful a job of looking at how this money would be spent.The company would like to recoup the \$85 million it spent on the rehabilitation of storage tanks and upgrading water lines, booster stations and water treatment facilities since 2009. The infrastructure is aging and needs repair, water company spokeswoman Laura Jordan told the Daily Mail's Zack Harold. "It's a national phenomenon," Jordan said. "It's something every water system in the United States is experiencing."

PARKERSBURG NEWS AND SENTINEL

EPA orders Century Aluminum to clean areas RAVENSWOOD- The federal Environmental Protection Agency has ordered Century Aluminum to cleanup sections of its Ravenswood facility used for the storage and disposal of hazardous materials that were byproducts of aluminum production. According to the EPA, cleanup is needed at the facility on Century Road near Ravenswood where soil and groundwater are contaminated with cyanide, fluoride, lead, arsenic and Polycyclic Aromatic Hydrocarbons (PAHs), said EPA spokeswoman Donna Heron in a press release. "Cleanup work includes restoration of contaminated groundwater to drinking water standards and to control human and environmental exposure to hazardous wastes in the soil that remain in place at the plant," Heron wrote. Under the EPA's order, the company must develop a plan, known as a materials management plan, that identifies specific locations at the plant where contaminants remain, and put in place procedures and safeguards for any future construction or excavation in those areas. The plan must be approved by EPA and the West Virginia Department of Environmental Protection. The plan must include a health and safety section for the safety of workers and contractors doing excavation or construction work in these known contaminated areas. The order restricts using groundwater beneath the property for drinking water. Using the property for any purpose other than industrial is prohibited unless it is demonstrated there is no threat to human health or the environment. Aluminum production began at the site in 1957 when Kaiser Aluminum and Chemical Corp. began operations. The facility included a plant that produced aluminum from alumina ore, and a plant that produced plate and coil aluminum alloy. The former Kaiser plant was sold in 1989 to Ravenswood Aluminum Corp., which later changed its name to Century Aluminum of West Virginia. In February 2009, Century Aluminum shut down the aluminum production operation because of the low demand for aluminum. In a phone interview Thursday, Heron said the problem stems from the time Kaiser was operating the plant. The EPA is waiting on a plan from Century to address its concerns, she said. Once that plan is in place and approved by the EPA and the state's environmental protection agency, timelines will be made on when work will be done, she said.

WEST VIRGINIA PUBLIC RADIO

McKinley pushing again for coal ash bill The re-use and disposal of a product called coal ash is an issue of great interest to First District Congressman David McKinley. He's introducing a new version of a bill designed to give states more power to regulate how the ash is managed. According to the Environmental Protection Agency, more than 100 million tons of coal combustion residues, including fly ash, or coal ash, are produced every year. West Virginia is the fifth largest generator of these residue materials in the country. Congressman McKinley's bill, "The Coal Residuals Reuse and Management Act of 2013," targets disposals of this ash material. Coal ash is a byproduct of burning coal. It's used for concrete, and other building products—an area Congressman McKinley knows something about with his background in the construction industry. McKinley is concerned about the Environmental Protection Agency's authority in regulating coal ash. "This product has already twice been studied by the EPA itself, and both times they said it is not a hazardous material," said McKinley. "We should be addressing issues like battery acid, motor fuels, other chemicals that are disposed of in our municipal landfills. Those are far more serious than this is." There's a back story to the EPA's concerns. In 2008, a coal ash slurry spill in Kingston, TN inflicted considerable damage to the area around it. The cleanup of the spill is estimated to cost \$1 billion. Then in 2010, under previous EPA administrator Lisa Jackson, the agency began an investigation into whether coal ash should be labeled as a hazardous waste. Thousands of public comments on the issue were received, but since then, Jackson left her position. Her expected replacement is Gina McCarthy. McKinley says there is uncertainty in the business community over what will happen to coal ash regulations.

WEST VIRGINIA STATE JOURNAL

Tomblin celebrates WV's export successes From Azerbaijan to Tanzania, West Virginia businesses are growing their export markets. Gov. Earl Ray Tomblin joined with the West Virginia Development Office and the West Virginia Export Council on June 6 to celebrate the record-breaking 52 companies who successfully exported to a new country in 2012. While some companies, such as Growth Media Services, have grown their exports in one foreign market, in this case Hong Kong, others, such as Z Electric Vehicle Corp., have expanded into more than a dozen foreign markets. "We're very proud of the fact that West Virginia is a leader in increasing the amount of exports," Tomblin said. "Last year, we increased by about 25 percent, and that was one of the top expansions of exporting across the country. It brings in a little over \$11 billion in money coming back to West Virginia because of our exports." Of the 52 companies being honored, 16 were recognized as being first-time exporters to foreign markets. In all, the companies exported to a total of 136 countries in all regions of the world.

ASSOCIATED PRESS (W. VA.)

McKinley: New coal-ash bill tackles EPA concerns MORGANTOWN, W. Va. -- For two years, one of the two professional engineers in Congress has pushed a bill to let states regulate fly ash from coal-fired power plants, a move U.S. Rep. David

McKinley says would benefit coal and power companies and the construction industry he's worked in since the 1960s. Each time, the West Virginia Republican's bill clears the House, only to die in the Senate. But McKinley says this year is different: The latest version of the Coal Residuals Reuse and Management Act (H.R. 2218) was crafted with input from the U.S. Environmental Protection Agency, which McKinley said is "not opposing" the draft that cleared a House subcommittee Thursday. "We've listened and reacted," he said, "and we've listened again." EPA officials told The Associated Press they can't comment on pending legislation. But at a House subcommittee hearing in April, an official in the Office of Solid Waste and Emergency Response said the agency supports "the development, implementation and enforcement of appropriate standards for facilities managing coal ash, while encouraging the beneficial use of this economically important material." Coal ash is used in materials ranging from concrete and drywall to countertops and bowling balls. The U.S. produces about 140 million tons of fly ash a year, and EPA calls "coal combustion residuals" one of the nation's largest waste streams. It says about 34 percent is landfilled every year, while another 21 percent is dumped in impoundments. About 37 percent is "beneficially used," and about 8 percent is used in coal mine reclamation projects. Though coal ash contains arsenic, selenium, lead, cadmium, and mercury, it's not considered hazardous waste. Environmental activists worry about water contamination nonetheless. And they see little improvement in the latest bill. "Its primary effect remains keeping the EPA from regulating this massive toxic waste stream," said the West Virginia Sierra Club's Jim Sconyers, who questions the ability of states to properly monitor the waste and protect citizens and the environment.

Sewage-sniffing dog helps fight pollution BECKLEY, W.Va. -- One West Virginia community has found a valuable new use for a low-tech tool: A dog's nose is sniffing out the source of sewage-system leaks fouling local waterways. Sable is a 7-year-old rescue dog who works for Environmental Canine Services of Vermontville, Mich. West Virginia Public Broadcasting (<http://bit.ly/13HNPbu>) says she was hired under a state Department of Environmental Protection grant awarded to the Piney Creek Watershed Association. The group tries to protect waterways in about 130 square miles of Raleigh County. Every time Sable barks, Beckley Sanitary Board officials know she's got a "hit" on human waste. Beth Schrayshuen says Sable shows her team where to look. "The Beckley Sanitary Board has been around for 80 plus years now," she said. "And old infrastructure just needs to be repaired, but it's buried, so it's difficult to verify what needs to be repaired and what's leaking.

MARYLAND

BALTIMORE SUN

Wyman Park stream turns colors in hunt for sewage leak Nontoxic red, green dye used to spot pipe break in Stony Run. A stream flowing through Wyman Park turned bright pink, then lime green Thursday as city crews attempted to pinpoint with dye a break in a sewage pipe that officials estimate has spilled tens of thousands of gallons of untreated human waste into the tributary of the Jones Falls.

Upgraded vent systems ordered for 31 nuclear reactors, including two at Peach Bottom

Nuclear Regulatory Commission says move is a safety measure.The Nuclear Regulatory Commission said Thursday that it has ordered a venting upgrade for nearly a third of the reactors in the country, including ones at the Peach Bottom Atomic Power Station just north of Harford County.

Tropical Storm Andrea forecast to bring heavy rains Friday Tropical Storm Andrea is expected to dump several inches of rain on the Baltimore area Friday, prompting concerns of flash flooding.

MARYLAND GAZETTE NEWSPAPERS

Bowie stormwater management contest seeks to change tide on resident pollution Bowie officials are looking for the public's help with a new contest that seeks to drain away apathy about throwing debris into storm water management systems.City residents have until June 21 to submit designs to beautify area storm drains around the city. The contest, which is open to everyone from 8-year-old children to adults, will allow participants to paint colorful designs on several storm drains across the city. City officials hope residents will be more aware that trash and debris that winds up in such drains makes its way to area wilderness, said Tiffany Wright, the city's watershed manager. "The point of the project is to catch people's eye and remind them of the connection between the streets, their houses and the local streams," Wright said. "A lot of what goes into the storm drain goes into local streams." The city is looking to decorate six storm drains, Wright said. Those individuals whose designs are selected for the project will win between \$25 and \$100 depending on their age and whether their design comes in first or second in their age bracket, according to the competition's rules. Contest regulations and application package can be found online at cityofbowie.org/drainart.

VIRGINIA

NORFOLK VIRGINIAN PILOT

Editorial: Restoring bay Omega-style The General Assembly of Virginia long ago tasked itself with overseeing the state's menhaden fishery. This week provided another \$7.5 million worth of evidence why the state deserves better. On Tuesday, Omega Protein Inc., the Texas outfit that controls Virginia's menhaden business, agreed to pay a \$5.5 million federal fine for illegally dumping bilge water and fishy wastewater into the Chesapeake Bay. The company, which grinds the fish into dietary supplements, fertilizer and food for livestock and pets, had drawn criticism in recent years for so overfishing the species that the food chain in the Chesapeake Bay and other coastal waters was disrupted. But the fine, reported Wednesday by The Pilot's Scott Harper, shows why regulation of the fishery should be in the hands of experts, not politicians. Large fishing boats are supposed to filter oil from bilge water and then record its release so regulators can check. "What investigators discovered, case records show, were hoses and other makeshift methods for dumping oily bilge water into the Chesapeake and the Atlantic Ocean, often under the water line and out of sight." The company was also supposed to dump bail water from its plant and ships - wastewater filled with scales, fins and fish excrement - at least three miles off shore to avoid fouling the bay with additional nutrients, Harper wrote. "Investigators determined, however, that from May 2008 to December 2010, the wastes routinely were not taken offshore but instead were discharged into the Chesapeake Bay and other state waters, the plea agreement says."... Thanks to a uniquely compliant regulatory scheme - Virginia's menhaden fishery is controlled by the statehouse rather than by regulators, as all other saltwater fish are - Omega has enjoyed freedoms available in few other states. Including being regulated by a political body it helps elect. Omega's political contributions have totaled more than \$250,000 since 2001. It is unlikely that any member of the legislature is going to spend time on the water, checking Omega's compliance with rules and regulations. It's not the lawmakers' job. But it is absolutely clear that those same legislators - with their willfully blind eyes and upturned palms - have created the regulatory environment in which this kind of thing can, and did, happen.

NEWPORT NEWS DAILY PRESS

[A choke point on the James needs dredging, dollars](#) For 5 1/2 months big ships fetching and moving chemicals at Honeywell International have had to wait until high tide to transit a narrow section of the James River between James City and Surry counties made shallow because of soil erosion. The Dancing Point-Swann Point Shoal Channel — and specifically its eastern section — is now below 24 foot depth at low tide. The stretch of river need to be dredged of the sentiment that has piled up increasing frequency to allow for bigger ships to use it at all hours of the day. At a meeting of federal officials from the Army Corps of Engineers and business leaders, the choke point on the James was a focus. Army Corps project manager Walter Trinkala said dredging the section is a tricky engineering challenge but is a top priority of the government. Meanwhile an official with the Virginia Pilot Association and David Host, president of a large shipping agency expressed frustration, not with the Corps but with limited resources that are hurting business interests along the river between Newport News and Richmond. The river is a key conduit for businesses including Honeywell which ships fertilizer from its Hopewell plant in large quantities to Brazil.

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ROANOKE TIMES

[More flooding likely for Roanoke, Blacksburg today after Thursday's record rainfall](#) Roanoke and Blacksburg saw record rainfall Thursday. Roanoke got 1.77 inches of rain as of 5 p.m., according to forecasters from the National Weather Service. The previous record for rainfall on June 6 was 1.15 inches in 1934. Blacksburg got 2.68 inches of rain, breaking the previous record of 1.09 inches that fell in 1952. Meteorologist William Perry said the bulk of the rain will be moving east today, but more rain is still expected in the Roanoke and New River valleys and could lead to flooding. "The threat of flooding is still definitely there," said Perry, who added that today is the day to look out for small stream flooding and urban flooding. There was minor flooding Thursday in Montgomery County, Roanoke County, Botetourt County and Rockbridge County. Rockbridge County emergency management spokesman Robert Foresman said part of Virginia 751 had to be closed because of flooding, but this did not cause major traffic problems. Most of the rain today will be remnants from Tropical Storm Andrea, Perry said. Southwest Virginia is under a flood watch until tonight.

LYNCHBURG NEWS AND ADVANCE

[Ivy Lake residents request repeal of state regulation forcing dam repairs](#) Several residents of Ivy Lake are requesting a repeal of a state regulation that could force repairs totaling more than \$2 million to the Bedford County neighborhood's dam. In a letter sent to Gov. Bob McDonnell, former county supervi-sor Bob Bashore and retired engineers William Bowen and David Roberson referred to the regulation as "onerous." The letter states the dam failed to meet a recertification requirement in 2012 when it had received recertification four times in the past two decades before the new law took effect in 2008.

ASSOCIATED PRESS (VA.)

[Va. wildlife center treating more black bears](#) WAYNESBORO -- The Wildlife Center of Virginia says has treated a record number of black bears this year. The Waynesboro center says it has admitted 19 black bears so far in 2013, breaking the record of 17 set last year. It is currently treating 16 black bear cubs and a yearling. Some of the animals currently being treated can be seen on the center's web-based [Critter Cam](#). The center is constructing enclosure that will provide additional housing for black bear patients. It also will soon be breaking ground on a new two-acre facility that will provide long-term, outdoor enclosures for healthy young bears. Since its founding in 1982, the nonprofit wildlife center has cared for more than 60,000 wild animals from 200 different species.

[New Federal Deal With CBF to Scrutinize Farm Pollution](#) RICHMOND, Va. (AP) - The Chesapeake Bay Foundation and the Environmental Protection Agency have announced an agreement to ensure that dairy farms, poultry growers and other farm animal operations are on track to reduce pollution flowing into the Chesapeake Bay. The foundation said the agreement announced Wednesday is intended to ensure that the multi-state, EPA-led restoration of the Chesapeake Bay is achieved by 2025. The multi-part plan is aimed at ensuring compliance with measures that limit manure and other pollutants from entering streams that ultimately feed into the bay. They include fencing of streams to keep cattle from fouling their waters and management plans for feeding operations and manure. It's all part of the bay's so-called pollution diet, which aims to restore the bay's health after decades of neglect.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

[Coal Ash, Superfund Bills Clear House Panel With Republican Support](#) Four bills to expand state authority over regulatory programs for coal ash disposal and superfund cleanups clear the House Energy and Commerce Subcommittee on Environment and the Economy with strong Republican support and continued Democratic opposition. Republicans tout the legislation as necessary to resolve regulatory uncertainty among states, while Democrats say the bills were hastily prepared and fail to fully address environmental and public health concerns, despite revisions.

GREENWIRE

[Final permits keep coal an option at Capitol Hill power plant](#) Congress today received the final permits needed to turn its power plant into a cogeneration facility, but environmentalists say legislative branch officials still refuse to rule out coal burning in the future. The Capitol Power Plant is high on symbolism: The century-old facility spewed pollution for decades into Washington, D.C., neighborhoods in order to heat and cool congressional buildings. Democrats began an effort in 2007 to phase out coal in favor of natural gas, and in 2009 House and Senate leaders pledged to do away with coal entirely. Now the Architect of the Capitol is moving forward with plans to save energy by renovating the plant into a cogeneration facility that burns fuel for electricity and uses the leftover heat to keep buildings warm in the winter and cool in the summer. When complete, the facility will function entirely on natural gas, according to the AOC. The Sierra Club wants AOC to promise even more: that it will never use coal again. But D.C.'s Department of the Environment did not ban coal in the permits it issued today that green-light construction of the cogeneration facility. Sierra Club's Jim Dougherty said in an interview that he was "disappointed."

[EPA: Republicans see political bias in agency's response to information requests](#) U.S. EPA's Freedom of Information Act policies are drawing increasing scrutiny from Republicans on Capitol Hill as GOP leaders attempt to demonstrate that the Obama administration has been involved in a pattern of discriminatory policies against conservative groups. Today, top Republicans on the House Science, Space and Technology Committee pressed the EPA's top watchdog for a "swift, yet thorough" audit of the agency's FOIA policies. The members also requested a briefing from Inspector General Arthur Elkins to review how he plans to conduct his audit. Last month, free-market group the Competitive Enterprise Institute charged that EPA regularly uses FOIA review and fee waiver determinations to make it more difficult for limited-government groups to access public records from the agency. CEI pointed to a year's worth of FOIA requests dating back to 2012 to show that green groups had their FOIA request fees waived far more often than CEI and other conservative groups. n light of those charges, acting EPA Administrator Bob Perciasepe has asked the agency's inspector general to review the EPA fee waiver criteria to ensure that its FOIA process "remains fair and transparent."Asked about the disparity in fee waivers raised by CEI at a House Energy and Commerce Committee hearing last month, Perciasepe said that the concerns came to his attention after CEI raised them, but that "it is not EPA's policy to treat people differently" ([Greenwire](#), May 16).

COAL ASH: Panel swiftly approves ash disposal, Superfund bills A House subcommittee this morning approved legislation to bar U.S. EPA from designating power plant combustion waste as a hazardous substance and give states more power over Superfund cleanup decisions. The House Energy and Commerce Committee's Environment and the Economy Subcommittee by voice vote approved West Virginia Republican Rep. David McKinley's coal ash bill, [H.R. 2218](#), the highest-profile bill on today's markup roster. The legislation pre-empts ongoing EPA rulemaking and sets up coal ash regulations for states to oversee with limited federal involvement. It outlines criteria the agency can use to police state ash disposal programs. Even though many Democrats oppose the legislation, none offered any amendments. Rep. Paul Tonko (D-N.Y.), the subcommittee's ranking member, said they were mulling a strategy. Subcommittee Chairman Rep. John Shimkus (R-Ill.) said he expected a full committee markup "soon" with House floor action to follow. During the last session of Congress, bill backers came close to attaching similar coal ash language to the must-pass transportation bill. They are expressing optimism about overcoming Democratic opposition in the Senate

EPA narrows scope of proposed livestock regulations U.S. EPA is reducing its efforts to address water pollution from livestock operations. Instead of writing a new rule to monitor and enforce pollution violations on a national scale, EPA will focus exclusively on the Chesapeake Bay. The work will satisfy a settlement agreement reached in 2010 with the nonprofit Chesapeake Bay Foundation. The foundation and EPA announced the new scheme late yesterday after signing a binding agreement May 30 to carry out the work. It will consist largely of auditing whether states are carrying out their plans to meet EPA's nutrient limits for the bay, on-farm inspections and reviews of permits for livestock operations. "These are tools that we have in place currently. We're not issuing new permits; we're not issuing new programs," said Kim Noble, the foundation's vice president for environmental protection and restoration. "However, what we're doing is we are ensuring that those tools are as sharp as they can possibly be." The agreement is already drawing fire from some other environmental groups that see it as a softening of EPA's stance toward large concentrated animal feeding operations (CAFOs). The groups said they would continue to advocate for a new national rule to address discharges from the operations

Invention backed by EPA just might make you a regulator Inventor David Kuller is out to fix the most basic -- and, he says, most flawed -- of human actions. Breathing. "Very few people, outside of those studying yoga, are concerned with their breath," Kuller said. "But there's so much we can learn from the breath about our body. I think there's a movement of people learning how to breathe better, and we want to be at the pilot of that." The Obama administration agrees and has laid down a hefty bet that Kuller can help people breathe smarter. U.S. EPA and the Department of Health and Human Services handed Kuller a \$100,000 check for his wearable breath monitor -- a first-prize winner in the My Air, My Health Challenge. Kuller, 54, and his partners, Gabrielle Savage Dockterman and Dot Kelly, created a lightweight vest whose sensors and monitors track your every breath and heartbeat -- and measure all that fine soot and dust you take in. That last feature has EPA all agog. The Conscious Clothing A-Ware system, the agency hopes, just might revolutionize air pollution monitoring.

ASSOCIATED PRESS

Co. targeted for NJ Superfund site files lawsuit NEWARK, N.J. - A company blamed for lead pollution at a site along the Raritan Bay says it is being unfairly targeted and others , including the town of Old Bridge and the state of New Jersey , are mainly responsible for the mess and should share the cost of the cleanup. NL Industries made the claims in a lawsuit Wednesday filed in federal court. The lawsuit names the state, Old Bridge Township and the U.S. Army Corps of Engineers, along with numerous companies that brought used batteries, scrap metals and other waste to NL's Perth Amboy lead smelting plant. Parts of the beach have been closed for several years due to contamination. Last week, the federal Environmental Protection Agency and Rep. Frank Pallone announced finalized plans for a \$79 million cleanup of the site, known as the Raritan Bay Slag Superfund site.

NEW YORK TIMES

Senate Bill Sweetens Loans for Energy-Efficient Homes Home buyers purchasing energy-efficient properties could qualify for larger mortgages than their incomes would normally allow under a Senate bill reintroduced Thursday with broad real estate industry support. The measure would allow lenders to include projected energy savings from efficiency upgrades when measuring the borrower's income against expenses and the value of the home against the debt. In addition to giving borrowers larger loans in new purchases and refinancings, it could also lower their interest rates. Senator Johnny Isakson, a Republican from Georgia who worked in the real estate industry for 33 years and introduced the bill with Senator Michael Bennet, a Democrat from Colorado, said that consumers should get credit for energy-saving construction materials, which are often "out of sight and out of mind and are not valued." Decreasing the amount of energy a home uses, he said in an interview, increases "the amount of dollars in the pockets of the homeowners."

Blog: The Green Roots of Turkey's Urban Unrest The street protests that spread from Istanbul to some 60 cities around Turkey in recent days have focused on a broad range of grievances, particularly what some see as the unresponsive nature of the government of Prime Minister Recep Tayyip Erdogan. But the initial spark was a government pan to uproot hundreds of trees and turn a park abutting Istanbul's Taksim Square (interactive panoramic view) into a shopping mall. The protests are bound to intensify following the announcement Thursday by Erdogan that the redevelopment project, including the razing of the park, would proceed as planned. You can learn more about this aspect of the unrest in "Everywhere is resistance; Everywhere is Taksim": When a Park Becomes Something More," a post on the EarthDesk blog launched earlier this spring by the Pace Academy for Applied Environmental Studies — my home at Pace University.